GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

TWD – LTR – West Godavari District - Revision Petition filed by Sri Kancharla Naga Venkata Raju S/o.Kanaka Raju R/o.Pamulavarigudem village, Jeelugumilli (M), West Godavari District before the Government against the orders of the Agent to Government, West Godavari District, Eluru in S.R.A.No.3/2015/F2 dt.01.08.2015 for the petition scheduled land adm.Ac.1.96 cts in R.S.No.47/2, Ac.2.14 cts in R.S.No.48/2, Ac.2.82 cts in R.S.No.52/1 and Ac.3.15 cts in R.S.No.53 and the total extent of Ac.10.07 cts of Pamulavarigudem village of Jeelugumilli Mandal, West Godavari District – Allowed – Orders – Issued.

SOCIAL WELFARE (TW.LTR-1) DEPARTMENT

G.O.MS.No. 134 **Dated: 21-08-2018**
Read the following:-

1. Revision Petition filed by Sri Kancharla Naga Venkata Raju S/o.Kanaka Raju, Pamulavarigudem, Jeelugumilli (M), West Godavari District Dated: 03.09.2015.
2. Govt.Memo.No.7447/TW.LTR-1/2015, dated: 22.04.2007.
3. From the Special Deputy Collector, (TW), K.R.Puram West Godavari District Roc.No.E-10264/2018/F4, dt.23.06.2008.
4. Govt. Lr.No.15024/15/LTR-1/2018, dt.09.07.2018.

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ORDER:

In the 1st read above, Sri Kancharla Naga Venkata Raju S/o.Kanaka Raju R/o.Pamulavarigudem village, Jeelugumilli (M), West Godavari District filed a Revision Petition before the Government against the orders of the Agent to Government, West Godavari District, Eluru in S.R.A.No.3/2015/F2 dt.01.08.2015 for the petition scheduled land adm.Ac.1.96 cts in R.S.No.47/2, Ac.2.14 cts in R.S.No.48/2, Ac.2.82 cts in R.S.No.52/1 and Ac.3.15 cts in R.S.No.53 and the total extent of Ac.10.07 cts of Pamulavarigudem village of Jeelugumilli Mandal, West Godavari District.

2. In the reference 2nd read above, the Agent to Government and the District Collector, West Godavari District, Eluru was requested to send para wise remarks and connected case records in the matter, so as to dispose off the Revision Petition at Government level.

3. The Special Deputy Collector (Tribal Welfare), K.R.Puram, West Godavari District has furnished parawise remarks and connected records vide reference 3rd read above.

4. In the reference 4th read above the petitioner were called for the hearing along with the written arguments and record. The case has been heard on 21.07.2018. During the course of hearing of the case that the Revision Petitioners submitted his arguments as per his grounds in Revision Petition and stated that the maternal grandfather (Chikkala Pullaiah) of him is the pattadar of the lands having purchased in the year 1937 and after his death himself and his mother inherited the same and enjoying the lands and in their name pattadar pass books and title deeds issued and they paid the revenue and there is no violations of regulations and prayed to set-side the lower authorities orders.

5. On verification of documents and the grounds of Revision and Para wise remarks as well as the other documents and material available on the record it is noticed that originally on a complaint filed by Gujju Lakshmana Rao that the Special Deputy Collector (TW) allowed the same holding that the land is M I Kotayyacheruvu and the respondent therein not attended and has not produced any evidence to prove his title and enjoyment at any stage and accordingly ordered for

(P.T.O)

ejectment. Aggrieved by the same the respondent therein filed appeal before the Agent to the Government questioning the said order and the same was dismissed holding that the said disputed land is registered in the name of Chikkala Pullaiah and he give-up the land to Government for building of Minor Irrigation Tank as per the records.

6. That as per the record there is title deed of the year 1937 and same is stands in the name of Sri Chikkala Pullaiah even as per the order of the Lower Appellate Authority and the Revision Petitioner is also claiming the same as per the same title deed and further admittedly the Revision Petitioner is in possession of the land and when the land give-up to Government by the said person is in question when the petitioner is in possession along with his mother. The said facts shall be decided basing on the documents and other materials. Admittedly that irrigation department through the letter dated 24.01.2009 in DB/JT02/R5/31 address to Revenue Divisional Officer Jangareddygudem clarified that the subject land was never water tank and it is agriculture land covered under pass books issue in the name of the petitioner and his mother.

7. The contention of the Revision Petitioner is that there are no violations of the regulations and his maternal grandfather is the rightful owner and himself and his mother succeeded the same after his demise and they are in continuous possession enjoyment of the same even as per the revenue records.

8. As seen from the record that the petitioner and his mother is in continuous possession enjoyment of the land and the Government and the Irrigation Department was never possession of the same and there is no record when the said Sri Chikkala Pullaiah gave up his right over the land. In view of the continuous possession of the land by the petitioner and his mother and on that it can be safely concluded that they are rightful owners and land is their private land and not that of Government.

9. That considering the above material that in the considered opinion, the orders of the Lower Authorities cannot be sustained and the matter shall be decided in favour of the petitioner.

10. In the result, the revision petition is allowed by setting aside the orders of the Primary Authority and Appellant Authority and the matter is decided in favor of petitioner.

11. The Collector & District Magistrate, West Godavari District, Eluru is requested to take necessary action in the matter accordingly and acknowledge the receipt of the case records which are returned herewith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.S.RAWAT
PRINCIPAL SECRETARY TO GOVERNMENT (TW)

To
The District Collector, West Godavari District, Eluru. (w.e)
The Project Officer, ITDA, K.R.Puram, West Godavari District.
The Special Deputy Collector, K.R.Puram, West Godavari District.
The Tahsildar, Jeelugumilli Mandal, West Godavari District.
Sri Kancherla Naga Venkata Raju (Naga Raju), S/o.Kanaka Raju, R/o.Munusuf Street, Jangareddigudem Mandal, West Godavari District - 534447.
Copy to:
Sri Gujju Lakshmana Rao, S/o.Sita Ramudu, R/o.Pamulavarigudem, Jeelugumilli Mandal, West Godavari District.
The P.S. to Hon'ble Minister (SWE & TWE)
The P.S. to Principal Secretary (TW)
Sf/Sc

//FORWARDED:: BY ORDER //

SECTION OFFICER